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8 *Attorneys for LVMPD Defendants*

9 **UNITED STATES DISTRICT COURT**  
10 **DISTRICT OF NEVADA**

11 SOLOMON COLEMAN, individually,  
12 Plaintiff,

Case Number: 2:20-cv-00739-JAD-BNW

13 vs.  
14 LAS VEGAS METROPOLITAN POLICE  
15 DEPARTMENT; CHERYL HOOTEN,  
16 individually; JOSEPH LEPORE, individually;  
17 BRIAN SANTAROSSA, individually;  
18 DONALD SHANE, individually; R. TENNANT,  
19 individually; VICENTE RAMIREZ,  
20 individually; LISA LUZAICH, individually,  
21 Defendants.

22 **STIPULATION AND ORDER TO EXTEND DISCOVERY DEADLINES**

23 **(FIRST REQUEST)**

24 Pursuant to LR 6-1 and LR 26-4, Plaintiff, by and through his counsel of record,  
25 Bradley M. Marx, Esq. of Marx Law Firm, PLLC and Defendants Las Vegas Metropolitan  
26 Police Department (“LVMPD”), Joseph Lepore, Brian Santarossa, Donald Shane, and  
27 Richard Tennant (collectively “LVMPD Defendants”), by and through their attorneys of  
record, Nick D. Crosby, Esq., with the law firm of Marquis Aurbach, hereby stipulate and  
request that this Court extend discovery deadlines in the above-captioned matter sixty (60)  
days, up to and including November 9, 2022. In support of this stipulation and request, the  
parties state as follows:

1   **I. PROCEDURAL HISTORY**

2       1.   On April 24, 2020, the Plaintiff filed his Complaint. ECF No. 1.

3       2.   On October 13, 2020, the LVMPD Defendants filed their Motion to Dismiss  
4 Plaintiff's Complaint. ECF No. 10.

5       3.   On November 18, 2020, this Court granted the LVMPD Defendants' Motion  
6 to Dismiss. ECF No. 26.

7       4.   On December 1, 2020, the Plaintiff filed a Motion to Reopen Case. ECF No.  
8 28.

9       5.   On June 9, 2021, this Court granted Plaintiff's Motion to Reopen Case. ECF  
10 No. 34.

11       6.   On December 6, 2021, the LVMPD Defendants filed their Answer to  
12 Plaintiff's Complaint. ECF No. 41.

13       7.   On January 26, 2022, the parties filed their Stipulated Discovery Plan and  
14 Scheduling Order. ECF No. 42.

15       8.   On January 28, 2022, the Court filed the Scheduling Order.

16   **II. DISCOVERY COMPLETED TO DATE**

17       1.   The parties participated in the FRCP 26 conference on January 12, 2022.

18       2.   On March 16, 2022, the LVMPD Defendants served their Initial Disclosures  
19 of Witnesses and Documents.

20       3.   On April 28, 2022, the LVMPD Defendants served written discovery on the  
21 Plaintiff.

22       4.   On May 16, 2022, the Plaintiff served his Initial Disclosures of Witnesses  
23 and Documents.

24       5.   On May 27, 2022, the Plaintiff responded to the LVMPD Defendants' written  
25 discovery.

26       6.   On June 1, 2022, the Plaintiff served written discovery on the LVMPD  
27 Defendants.

1 **III. WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

2 The parties are in the process of scheduling depositions for the parties. Plaintiff  
 3 anticipates conducting five depositions and Defendants will take the deposition of the  
 4 Plaintiff. Counsel for Defendants is scheduled to be out of the jurisdiction from July 6-12,  
 5 2022 for his wedding and this was the week Plaintiff sought to schedule the Defendants'  
 6 depositions. In an effort to allow sufficient time to coordinate the depositions, the parties  
 7 are seeking the relatively brief, 60-day extension to ensure the parties have sufficient time to  
 8 notice, prepare for and take the depositions, and address any discovery issues which may  
 9 arise during the depositions.

10 **IV. REMAINING DISCOVERY**

11 1. The Plaintiff needs to take the depositions of the defendant officers.  
 12 2. The LVMPD Defendants need to take the deposition of the Plaintiff.  
 13 3. The LVMPD Defendants need to respond to the Plaintiff's written discovery.

14 **V. EXTENSION OR MODIFICATION OF THE DISCOVERY PLAN AND**  
**SCHEDULING ORDER**

15 LR 26-4 governs modifications of extensions of the Discovery Plan and Scheduling  
 16 Order. Any stipulation or motion must be made no later than twenty-one (21) days before  
 17 the expiration of the subject deadline, and comply fully with LR 26-4. The parties are  
 18 submitting this request twenty-one (21) days before the expert deadline disclosure.  
 19 Therefore, the parties respectfully request that the modification of a scheduling order be  
 20 granted. The following is a list of the current discovery deadlines and the parties' proposed  
 21 extended deadlines.

Scheduled Event	Current Deadline	Proposed Deadline
Rebuttal Expert Disclosures Pursuant to FRCP 26(a)(2)	June 13, 2022	N/A
Discovery Cut-Off	July 11, 2022	September 12, 2022
Dispositive Motion	August 10, 2022	October 10, 2022
Joint Pre-Trial Order	September 9, 2022	November 9, 2022 (if dispositive motions are filed)

1		the deadline for filing the joint pre-trial order will be suspended until 30 days after a decision on the dispositive motions or further court order)
2		

5                   This request for extensions of time is not sought for any improper purpose or for  
 6 purposes of delay. The parties have been diligent in their written discovery and disclosures  
 7 and request the instant extension to allow for adequate time to prepare for and conduct the  
 8 depositions of the parties. Therefore, the parties respectfully submit that the reasons set  
 9 forth above constitute good cause for the discovery extension.

10                  WHEREFORE, the parties respectfully request that this court extend the discovery  
 11 dates as outlined in accordance with the table above.

12                  IT IS SO STIPULATED this 2<sup>nd</sup> day of June, 2022.

13 MARQUIS AURBACH

MARX LAW FIRM, PLLC

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 Attorneys for Plaintiff

18                  **ORDER**

19                  IT IS SO ORDERED

20                  DATED: June 3, 2022

21                    
 22                  United States District Court Magistrate Judge